

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

REBECCA DRISCOLL,

Civil 10-4885 (JRT/FLN)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

STEWART, ZLIMEN & JUNGERS,
LTD.,

Defendant.

Amber Garry, **LARRY P. SMITH & ASSOCIATES, LTD**, 3444 Blaisdell Avenue, Minneapolis, MN 55408; David Marco and Larry Smith, **LARRY P. SMITH & ASSOCIATES**, 205 North Michigan Avenue, Suite 4000, Chicago, IL 60601, for plaintiff.

Brad Welp, **STEWART ZLIMAN & JUNGERS LTD**, 2277 Highway 36 West, Suite 100, Roseville, MN 55113, for defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated June 15, 2011 [Docket No. 15]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Dismiss [Docket No. 2] is **GRANTED**;
2. This matter is **DIMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: July 5, 2011
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge